A HOW-TO GUIDE

The Legal Side of Lettings: 9 Key Responsibilities for Landlords

MEYERS

MOVING BEYOND EXPECTATIONS

Contents

ABOUT MEYERS

With Meyers, You'll Feel The Care.

We're a family run business, which influences the way we work. Our customers always come first and the service you receive from our 'family' of experienced professionals is tailored to exactly meet your individual needs.

Letting? Our team is here for you 24/7! We focus on finding the right tenant and managing the letting and tenant find service for you.

We believe in helping you save for the future so that you keep more of your pennies from your Buy-to-Let properties.

We're better value. We believe our service will not be beaten by any local agency.

We give back to the community. Our community fund has raised over £300,000 for local good causes since 2011.

Our philosophy is simple. We're friendly, experienced, determined, great value and absolutely focused on you. We really look forward to hearing from you.

Mark Meyer

Legal Doesn't Have to Mean Complicated.

Renting out your property? It's a great way to generate income, but being a landlord comes with legal responsibilities too.

From tenancy agreements to safety checks, staying compliant isn't just about following the rules - it protects you, your property, and your tenants.

But don't worry, understanding your responsibilities doesn't need to be overwhelming.

With the right knowledge and a proactive approach, you can protect your investment, keep your tenants safe, and ensure your rental runs smoothly.

To keep things simple, we've broken it all down into nine key responsibilities every landlord needs to know.

ONE

DID YOU KNOW?

Verbal agreements are legal - but can lead to disputes. Always get it in writing!

Provide a Written Tenancy Agreement

A tenancy agreement isn't just another piece of paperwork, it's the basis of a smooth landlord-tenant relationship.

It legally sets out the terms of the tenancy, ensuring that both parties understand their rights and responsibilities from the outset.

Here's what you need to know:

- Assured Shorthold Tenancies (ASTs) are the most common type in England and Wales.
- The tenancy agreement should cover rent amounts, deposit protection, repair obligations, and notice periods. It should also clearly define the tenant's responsibilities regarding property upkeep and maintenance.
- It must comply with the Tenant Fees Act 2019, meaning no hidden costs.
- Ensure it outlines any restrictions, such as subletting, pets, or smoking rules, to avoid confusion later.

TWO

DID YOU KNOW?

Deposit deductions need proof. You can’t just keep your tenant’s deposit. Detailed evidence of damage or unpaid rent is required!

Protect Your Tenants Deposit

Taking a deposit is common practice, but you must legally protect it in an approved Tenancy Deposit Scheme (TDP) within30 days of receiving it.

This ensures tenants can reclaim their deposit fairly at the end of their tenancy and prevents disputes. Non-compliance could result in fines and legal action.

- Schemes include the Deposit Protection Service (DPS), MyDeposits, and the Tenancy Deposit Scheme (TDS).
- At the end of the tenancy, the deposit must be returned fairly, minus any agreed deductions.
- Failure to protect the tenants deposit can result in hefty fines and legal complications.

THREE

DID YOU KNOW?

Repairs can't wait! You must fix essential maintenance issues, like heating and plumbing promptly, or risk tenant compensation claims.

Keep Your Property Well-Maintained

As a landlord, you have a duty of care to your tenants, which includes keeping your property in a safe and habitable condition.

Regular maintenance is key, but there are also legal safety requirements that must be met to ensure the well-being of your tenants.

- **Gas Safety Checks:** An annual Gas Safety Certificate is required for properties with gas appliances.
- **Electrical Inspections:** An Electrical Installation Condition Report (EICR) must be completed at least every five years.
- **Smoke and Carbon Monoxide Alarms:** One smoke alarm per floor. A carbon monoxide detector in rooms with a solid fuel-burning appliance.
- **Fire Safety Compliance:** Furnished properties must meet the Furniture and Furnishings (Fire Safety) Regulations 1988. Escape routes must be kept clear, and tenants should have access to working smoke alarms.
- **Minimum Energy Efficiency Standards (MEES):** Rental properties must have an EPC rating of E or above. The government plans to increase this requirement to a C rating by 2030, so landlords should plan ahead.

FOUR

DID YOU KNOW?

No Right to Rent check? If you fail to check your tenants' legal status you could face fines of up to £5,000 per person.

Carry Out Right to Rent Checks

Before handing over the keys, you must check your tenants have the legal right to rent in the UK.

The government introduced these checks to prevent illegal renting and ensure tenants have legal residency.

As a landlord, you are responsible for verifying and recording the necessary documents, and failure to do so could result in legal repercussions.

Staying on top of these checks helps you avoid penalties and ensures compliance with immigration laws.

- Checks must be done before the tenancy starts and updated for tenants with time-limited residency.
- As a landlord you can face fines or even prison if you let to someone without the right to rent.
- Acceptable identification includes a passport, birth certificate or immigration document.

FIVE

DID YOU KNOW?

You can't legally rent out your property without an Energy Performance Certificate (EPC) rated E or above.

Ensure Your Property Has an Energy Performance Certificate (EPC)

Energy efficiency matters - not just for compliance, but also for attracting tenants who want lower energy bills.

A valid EPC certificate is a legal requirement before letting your property, and upcoming regulations mean landlords will need to meet stricter standards in the future.

- You should provide the EPC to tenants before they move in to your property.
- Planned regulation changes will require rental properties to have an EPC rating of C or above by 2030 - something to keep in mind for long-term investment planning.

SIX

DID YOU KNOW?

If you are a self-managing landlord, you must join a redress scheme - or risk a £5,000 fine.

Register with a Redress Scheme

If you self-manage your rental, you must be a member of a government-approved redress scheme such as The Property Redress Scheme (PRS) or The Property Ombudsman (TPO).

These schemes provide an independent service for resolving disputes between landlords and tenants.

Membership also demonstrates professionalism and reassures tenants that you will handle any disputes fairly.

- These schemes allow tenants to escalate complaints if disputes arise.
- Failing to register can lead to fines of up to £5,000.

SEVEN

DID YOU KNOW?

You can't just raise the rent whenever you like. Proper notice and tenant agreement are required!

Follow the Rules on Rent Increases and Evictions

Raising rent or evicting tenants isn't as simple as issuing a notice. You must follow the correct legal process.

Unfair rent hikes or unlawful evictions can lead to legal disputes, financial penalties, and reputational damage.

Understanding your obligations is essential to maintaining a good relationship with tenants while protecting your rights as a landlord.

- Rent increases must be fair and in line with the tenancy agreement.
- Section 21 Notices (no-fault evictions) are changing under the Renters Reform Bill – speak to us for updates on this.

- Section 8 Notices require landlords to give a valid reason for eviction, such as rent arrears or property damage.

EIGHT

DID YOU KNOW?

Legionella loves stagnant water. If your property has been empty, you should flush the system to prevent bacteria growth.

Assess and Manage Legionella Risk

Legionella is a bacteria that can develop in water systems and pose a risk to your tenants' health, potentially leading to Legionnaires' disease, a severe form of pneumonia.

While full water system testing isn't always required, as a landlord, you are legally obligated to assess and manage the risk of Legionella in your rental property.

- Conduct a basic risk assessment for Legionella, especially if your property is left vacant for long periods.

- Keep water moving – regularly run taps and showers if your property is vacant to prevent stagnation.
- Ensure hot water systems store water at 60°C or above, as this kills Legionella bacteria.

- Cold water should be kept below 20°C, as bacteria can thrive in lukewarm conditions.
- If a significant risk is identified, you should hire a professional to carry out a full Legionella risk assessment.

NINE

DID YOU KNOW?
If you don't provide the right paperwork at the start, if you need to evict your tenant later, you may struggle.

Provide the Right Documents

Providing the correct documents to your tenants at the start of their tenancy is a legal requirement. Missing paperwork can cause delays, disputes, or even invalidate eviction notices if the tenancy turns sour.

Having everything in order ensures transparency and keeps your rental running smoothly.

As a landlord, these are the essential documents you must give to your tenants:

- How to Rent Guide
- Electrical Installation Condition Report (EICR)
- EPC Certificate
- Deposit Protection Scheme Details
- Gas & Electrical Certificates

Contact us today for your FREE rental valuation.

MEYERS
MOVING BEYOND EXPECTATIONS

Let us manage the entire letting and tenant find service for you.

Letting your home?

For a free rental valuation and expert property management advice, head to meyersestates.com to contact our lettings department.

If you have instructed another agent on a sole agency and/or sole letting rights basis, the terms of those instructions must be considered to avoid a possible liability to pay two commissions.